

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
Second Regular Session  
2002

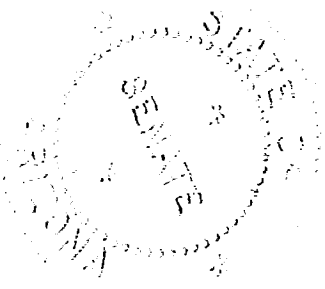
CHAPTER 291

**HOUSE BILL 2289**

AN ACT

AMENDING SECTIONS 8-127, 8-241, 8-321 AND 12-113, ARIZONA REVISED STATUTES; AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 12-114.01 AND 12-116.03; AMENDING SECTIONS 12-284, 12-407, 13-901, 13-914, 22-124, 22-281, 22-404, 22-428 AND 31-466, ARIZONA REVISED STATUTES; AMENDING LAWS 1999, CHAPTER 175, SECTION 9, AS AMENDED BY LAWS 2001, CHAPTER 8, SECTION 1; AMENDING LAWS 2000, CHAPTER 193, SECTION 598, AS AMENDED BY LAWS 2001, CHAPTER 8, SECTION 2; AMENDING LAWS 2000, CHAPTER 193, SECTION 599, AS AMENDED BY LAWS 2001, CHAPTER 8, SECTION 3; ESTABLISHING THE JOINT STUDY COMMITTEE ON STATE FUNDING OF THE COURT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-127, Arizona Revised Statutes, is amended to  
3 read:

4 8-127. Services of county attorney; court fees; exception

5 A. The county attorney of the county in which the prospective adoptive  
6 parent resides, or, if applicable, the county where the child is a ward of  
7 the court, on application of the person or persons seeking adoption, shall  
8 prepare the adoption petition and act as attorney without expense to the  
9 prospective adoptive parent. If an adoption is made through an adoption  
10 agency licensed pursuant to this title, the agency shall prepare the petition  
11 for adoption and shall submit it to the county attorney. If the petition is  
12 contested the county attorney, with the consent of the court, may withdraw  
13 from further representation of any party to the proceeding and the  
14 prospective adoptive parent shall employ counsel. ~~A filing fee established~~  
15 ~~pursuant to section 12-284 shall be paid to the clerk of the court in~~  
16 ~~adoption proceedings. Any person contesting any adoption proceeding shall~~  
17 ~~pay a fee established pursuant to section 12-284 to the clerk of the court.~~

18 B. Notwithstanding the provisions of subsection A of this section, the  
19 county attorney:

20 1. Shall not prepare a petition or act as the attorney for a  
21 prospective adoptive parent seeking adoption pursuant to title 14, chapter 8.

22 2. Is not required to act as an attorney for the prospective adoptive  
23 parent concerning the enforcement or modification of an agreement entered  
24 into pursuant to section 8-116.01.

25 Sec. 2. Section 8-241, Arizona Revised Statutes, is amended to read:

26 8-241. Fees on disposition

27 A. Notwithstanding section 8-243, the juvenile court shall order the  
28 parent of a juvenile to pay a fee of not less than forty FIFTY dollars a  
29 month for the supervision of the juvenile unless, after determining the  
30 inability of the parent to pay the fee, the court orders payment of a lesser  
31 amount.

32 B. If:

33 1. The department of economic security is the supervising agency, all  
34 monies assessed pursuant to this section shall be ordered to be paid and used  
35 as provided in section 8-243.01.

36 2. The juvenile probation office is the supervising agency, all monies  
37 assessed pursuant to this section shall be ordered to be paid to the clerk  
38 of the superior court. The clerk of the superior court shall pay all monies  
39 collected from this fee to the county treasurer for deposit in the juvenile  
40 probation fund to be used as provided in section 12-268. ANY AMOUNT GREATER  
41 THAN FORTY DOLLARS OF THE FEE ASSESSED PURSUANT TO THIS SUBSECTION SHALL ONLY  
42 BE USED TO SUPPLEMENT MONIES CURRENTLY USED FOR THE SALARIES OF JUVENILE  
43 PROBATION AND SURVEILLANCE OFFICERS AND FOR SUPPORT OF PROGRAMS AND SERVICES  
44 OF THE SUPERIOR COURT JUVENILE PROBATION DEPARTMENTS.

1       3. The department of juvenile corrections is the supervising agency,  
2 all monies assessed pursuant to this section shall be ordered to be paid to  
3 the department of juvenile corrections and shall be used to fund work  
4 restitution programs for juveniles.

5       4. A person or another state agency or state institution is  
6 responsible for supervision, all monies assessed pursuant to this section  
7 shall be deposited, pursuant to sections 35-146 and 35-147, in the state  
8 general fund.

9       Sec. 3. Section 8-321, Arizona Revised Statutes. is amended to read:

10       8-321. Referrals; diversions; conditions; community based  
11           alternative programs; definition

12       A. Except as provided in subsection B of this section, before a  
13 petition is filed or an admission or adjudication hearing is held, the county  
14 attorney may divert the prosecution of a juvenile who is accused of  
15 committing a delinquent act or a child who is accused of committing an  
16 incorrigible act to a community based alternative program or to a diversion  
17 program administered by the juvenile court.

18       B. A juvenile who is a chronic felony offender as defined in section  
19 13-501, who is a violent felony offender or who is alleged to have committed  
20 a violation of section 28-1381, 28-1382 or 28-1383 is not eligible for  
21 diversion.

22       C. Except as provided in section 8-323, the county attorney has sole  
23 discretion to decide whether to divert or defer prosecution of a juvenile  
24 offender. The county attorney may designate the offenses that shall be  
25 retained by the juvenile court for diversion or that shall be referred  
26 directly to a community based alternative program.

27       D. The county attorney or the juvenile court in cooperation with the  
28 county attorney may establish community based alternative programs.

29       E. Except for offenses that the county attorney designates as eligible  
30 for diversion or referral to a community based alternative program, upon  
31 receipt of a referral alleging the commission of an offense, the juvenile  
32 probation officer shall submit the referral to the county attorney to  
33 determine if a petition should be filed.

34       F. If the county attorney diverts the prosecution of a juvenile to the  
35 juvenile court, the juvenile probation officer shall conduct a personal  
36 interview with the alleged juvenile offender. At least one of the juvenile's  
37 parents or guardians shall attend the interview. The probation officer may  
38 waive the requirement for the attendance of the parent or guardian for good  
39 cause. If the juvenile acknowledges responsibility for the delinquent or  
40 incorrigible act, the juvenile probation officer shall require that the  
41 juvenile comply with one or more of the following conditions:

42       1. Participation in unpaid community service work.

43       2. Participation in a counseling program approved by the court, which  
44 is designed to strengthen family relationships and to prevent repetitive  
45 juvenile delinquency.

1           3. Participation in an education program approved by the court, which  
2 has as its goal the prevention of further delinquent behavior.

3           4. Participation in an education program approved by the court, which  
4 is designed to deal with ancillary problems experienced by the juvenile, such  
5 as alcohol or drug abuse.

6           5. Participation in a nonresidential program of rehabilitation or  
7 supervision offered by the court or offered by a community youth serving  
8 agency and approved by the court.

9           6. Payment of restitution to the victim of the delinquent act.

10          7. Payment of a monetary assessment.

11          G. If the juvenile successfully complies with the conditions set forth  
12 by the probation officer, the county attorney shall not file a petition in  
13 juvenile court and the program's resolution shall not be used against the  
14 juvenile in any further proceeding and is not an adjudication of  
15 incorrigibility or delinquency. The resolution of the program is not a  
16 conviction of crime, does not impose any civil disabilities ordinarily  
17 resulting from a conviction and does not disqualify the juvenile in any civil  
18 service application or appointment.

19          H. In order to participate in a community based alternative program  
20 the juvenile who is referred to a program shall admit responsibility for the  
21 essential elements of the accusation and shall cooperate with the program in  
22 all of its proceedings.

23          I. All of the following apply to each community based alternative  
24 program that is established pursuant to this section:

25           1. The juvenile's participation is voluntary.

26           2. The victim's participation is voluntary.

27           3. The community based alternative program shall ensure that the  
28 victim, the juvenile's parent or guardian and any other persons who are  
29 directly affected by an offense have the right to participate.

30           4. The participants shall agree to the consequences imposed on the  
31 juvenile or the juvenile's parent or guardian.

32           5. The meetings and records shall be open to the public.

33          J. After holding a meeting the participants in the community based  
34 alternative program may agree on any legally reasonable consequences that the  
35 participants determine are necessary to fully and fairly resolve the matter  
36 except confinement.

37          K. The participants shall determine consequences within thirty days  
38 after referral to the community based alternative program, and the juvenile  
39 shall complete the consequences within ninety days after the matter is  
40 referred to the community based alternative program. The county attorney or  
41 the juvenile probation officer may extend the time in which to complete the  
42 consequences for good cause. If the community based alternative program  
43 involves a school, the deadlines for determination and completion of  
44 consequences shall be thirty and ninety school days, respectively.

1 L. The community based alternative program, the juvenile, the  
2 juvenile's parent or guardian and the victim may sign a written contract in  
3 which the parties agree to the program's resolution of the matter and in  
4 which the juvenile's parent or guardian agrees to ensure that the juvenile  
5 complies with the contract. The contract may provide that the parent or  
6 guardian shall post a bond payable to this state to secure the performance  
7 of any consequence imposed on the juvenile pursuant to subsection J of this  
8 section.

9 M. If the juvenile successfully completes the consequences, the county  
10 attorney shall not file a petition in juvenile court and the program's  
11 resolution shall not be used against the juvenile in any further proceeding  
12 and is not an adjudication of incorrigibility or delinquency. The resolution  
13 of the program is not a conviction of crime, does not impose any civil  
14 disabilities ordinarily resulting from a conviction and does not disqualify  
15 the juvenile in any civil service application or appointment.

16 N. The county attorney or juvenile court shall assess the parent of  
17 a juvenile who is diverted pursuant to subsection A of this section a fee of  
18 forty FIFTY dollars unless, after determining the inability of the parent to  
19 pay the fee, the county attorney or juvenile court assesses a lesser amount.  
20 All monies assessed pursuant to this subsection shall be used for the  
21 administration and support of community based alternative programs or  
22 juvenile court diversion programs. ANY AMOUNT GREATER THAN FORTY DOLLARS OF  
23 THE FEE ASSESSED PURSUANT TO THIS SUBSECTION SHALL ONLY BE USED TO SUPPLEMENT  
24 MONIES CURRENTLY USED FOR THE SALARIES OF JUVENILE PROBATION AND SURVEILLANCE  
25 OFFICERS AND FOR SUPPORT OF PROGRAMS AND SERVICES OF THE SUPERIOR COURT  
26 JUVENILE PROBATION DEPARTMENTS. The clerk of the superior court shall pay  
27 all monies collected from this assessment to the county treasurer for deposit  
28 in the juvenile probation fund, to be utilized as provided in section 12-268,  
29 and the county attorney shall pay all monies collected from this assessment  
30 into the county attorney juvenile diversion fund established by section  
31 11-537.

32 O. The supreme court shall annually establish an average cost per  
33 juvenile for providing diversion services in each county, based upon the  
34 monies appropriated for diversion pursuant to section 8-322, excluding the  
35 cost of juvenile intake services provided by the juvenile court, and the  
36 number of juveniles diverted the previous year. Upon the county attorney's  
37 certification to the supreme court of the number of juveniles diverted to a  
38 county attorney community based alternative program each quarter, the annual  
39 average cost per juvenile for each juvenile diverted shall be reimbursed to  
40 the county attorney juvenile diversion fund established by section 11-537 out  
41 of monies appropriated to the supreme court for diversion programs.

42 P. If the juvenile does not acknowledge responsibility for the  
43 offense, or fails to comply with the consequences set by the community based  
44 alternative program, the case shall be submitted to the county attorney for  
45 review.

1 Q. After reviewing a referral, if the county attorney declines  
2 prosecution, the county attorney may return the case to the juvenile  
3 probation department for further action as provided in subsection F of this  
4 section.

5 R. For the purposes of this section, "violent" means an offense  
6 involving the discharge, use or threatening exhibition of a deadly weapon or  
7 dangerous instrument or the intentional or knowing infliction of serious  
8 physical injury on another person and includes an offense listed in section  
9 13-501.

10 Sec. 4. Section 12-113, Arizona Revised Statutes, is amended to read:

11 12-113. Judicial collection enhancement fund; purpose;  
12 administration; report; definition

13 A. A judicial collection enhancement fund is established consisting  
14 of monies received from:

15 1. The time payment fee established in section 12-116.

16 2. The surcharge paid by a person attending a court ordered diversion  
17 program pursuant to section 12-114.

18 3. Monies deposited in the fund pursuant to SECTION 12-114.01, section  
19 12-119.01, subsection B, paragraph 1, section 12-120.31, subsection C- D,  
20 paragraph 1, section 12-284.03, subsection A, paragraph 7, section 22-281,  
21 subsection C, paragraph 1 and section 22-404, subsection C, paragraph 1.

22 4. Electronic filing and access fees collected pursuant to sections  
23 12-119.02 and 12-120.31.

24 B. Courts wishing to receive monies from the judicial collection  
25 enhancement fund shall submit a plan to the supreme court. Subject to  
26 legislative appropriation, the fund monies shall be used according to plans  
27 approved by the supreme court to train court personnel, improve, maintain and  
28 enhance the ability to collect and manage monies assessed or received by the  
29 courts including restitution, child support, fines and civil penalties, and  
30 to improve court automation projects likely, to improve case processing or  
31 the administration of justice AND FOR PROBATION SERVICES.

32 C. The supreme court shall administer the fund and may expend monies  
33 in the fund, subject to legislative appropriation, for local, regional or  
34 statewide projects. The supreme court may directly provide or contract for  
35 services consistent with the purposes of the fund. Monies from the fund  
36 shall supplement monies already provided to local courts for purposes  
37 consistent with the purposes of the fund.

38 D. The supreme court shall submit annually to the legislature and to  
39 the governor a report detailing the amount of monies collected and expended  
40 and the progress made in improving the ability of the courts to collect  
41 monies.

42 E. On notice from the supreme court, the state treasurer shall invest  
43 and divest monies in the fund as provided by section 35-313, and monies  
44 earned from investment shall be credited to the fund.

1 F. After the court determines the amount due, the court shall transmit  
2 to the county treasurer each month the fees collected pursuant to section  
3 12-116, except that municipal courts shall transmit to the city treasurer  
4 each month the fees so collected.

5 G. The county or city treasurer shall transmit to the state treasurer  
6 on or before the fifteenth day of each month the fees collected pursuant to  
7 subsection F of this section for deposit in the judicial collection  
8 enhancement fund.

9 H. For the purposes of this article, "court authorized diversion  
10 program" means a program in which an individual charged with a civil or  
11 criminal traffic offense or any other criminal offense is not prosecuted for  
12 the offense on the successful completion of an authorized diversion program.  
13 Successful completion of a defensive driving school program resulting in  
14 dismissal of a civil or criminal traffic offense is considered a court  
15 authorized diversion program under this section.

16 Sec. 5. Title 12, chapter 1, article 1, Arizona Revised Statutes, is  
17 amended by adding sections 12-114.01 and 12-116.03, to read:

18 12-114.01. Probation surcharge; deposit

19 A. IN ADDITION TO ANY OTHER PENALTY ASSESSMENT PROVIDED BY LAW, A  
20 PROBATION SURCHARGE OF FIVE DOLLARS SHALL BE LEVIED ON EVERY FINE, PENALTY  
21 AND FORFEITURE IMPOSED AND COLLECTED BY THE COURTS FOR CRIMINAL OFFENSES AND  
22 ANY CIVIL PENALTY IMPOSED AND COLLECTED FOR A CIVIL TRAFFIC VIOLATION AND  
23 FINE, PENALTY OR FORFEITURE FOR A VIOLATION OF THE MOTOR VEHICLE STATUTES,  
24 FOR A VIOLATION OF ANY LOCAL ORDINANCE RELATING TO THE STOPPING, STANDING OR  
25 OPERATION OF A VEHICLE, EXCEPT PARKING VIOLATIONS, OR FOR A VIOLATION OF THE  
26 GAME AND FISH STATUTES IN TITLE 17.

27 B. THE MONIES COLLECTED PURSUANT TO THIS SECTION SHALL BE DEPOSITED,  
28 PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE JUDICIAL COLLECTION  
29 ENHANCEMENT FUND ESTABLISHED BY SECTION 12-113 TO BE USED TO SUPPLEMENT  
30 MONIES CURRENTLY USED FOR THE SALARIES OF ADULT AND JUVENILE PROBATION AND  
31 SURVEILLANCE OFFICERS AND FOR SUPPORT OF PROGRAMS AND SERVICES OF THE  
32 SUPERIOR COURT ADULT AND JUVENILE PROBATION DEPARTMENTS.

33 C. THE COURT MAY WAIVE ALL OR PART OF A PROBATION SURCHARGE IN THE  
34 SAME MANNER AND SUBJECT TO THE SAME LIMITATIONS PROVIDED FOR THE WAIVER OF  
35 PENALTY ASSESSMENTS IN SECTION 12-116.01, SUBSECTION E AND SECTION 12-116.02,  
36 SUBSECTION D.

37 12-116.03. Collection agencies

38 A COURT MAY CONTRACT WITH PUBLIC AGENCIES OR PRIVATE ENTITIES TO ASSIST  
39 IN COLLECTING FINES, FEES, PENALTIES, COSTS, SURCHARGES, RESTITUTION AND  
40 ASSESSMENTS THAT REMAIN UNPAID. THE COURT MAY ADD TO ANY UNDERLYING AMOUNT  
41 OWED REASONABLE COSTS CHARGED BY THE CONTRACTING AGENCY OR ENTITY.

42 Sec. 6. Section 12-284, Arizona Revised Statutes, is amended to read:

43 12-284. Fees

44 A. Except as otherwise provided by law, the clerk of the superior  
45 court shall receive fees classified as follows:

1	Class	Description	Fee
2	A	Initial case filing fee	
3		Tax case	\$115.00
4		Filing complaint or petition	115.00
5		Filing intervenor	115.00
6		Additional plaintiffs	115.00
7		Filing foreign judgment	115.00
8		Ownership of real property becomes an issue	
9		Plaintiff	115.00
10		Appellant <del>(except under section 12-2107</del>	
11		SECTIONS 12-1809 AND 13-3602)	115.00
12		Change of venue to this county	115.00
13		Petition for change of name	115.00
14		Filing a process server application	115.00
15	B	Subsequent case filing fee	
16		Filing answer or initial appearance	\$ 61.00
17		Additional defendants	61.00
18		Notice of appeal to appellate courts	
19		(EXCEPT UNDER SECTION 12-2107)	61.00
20		Cross-appeal by appellee (except under section 12-2107)	61.00
21		Ownership of real property becomes an issue	
22		Defendant	61.00
23		Jurisdiction exceeded appellee	
24		(within 20 days of filing)	61.00
25		Response to show cause which does one or more of	
26		the following:	
27		1. Request affirmative or counterrelief	
28		2. Attacks process of proceedings	
29		3. Takes other affirmative action	61.00
30	C	Initial case filing fee	
31		Filing petition for annulment	\$ 91.00
32		Filing for dissolution/legal separation petition	91.00
33		Petition in formal testacy or appointment	
34		proceeding	91.00
35		Application for informal probate or informal	
36		appointment	91.00
37		Petition for supervised administration petition	
38		to appoint guardian	91.00
39		Petition to appoint conservator or make other	
40		protective order	91.00
41		Opposing petition in testacy or appointment	
42		proceedings or appointment of guardian or	
43		conservator	91.00
44		Single estate application or petition under	
45		title 14, chapter 3, section 14-3938	91.00



1	Domestic relations case for which a fee is not	
2	specifically prescribed	91.00
3	D Subsequent case filing fee	
4	Filing answer to annulment	\$ 46.00
5	Filing for dissolution/legal separation answer	46.00
6	Any person opposing contested petition if no	
7	prior payment made	46.00
8	Post-adjudication POSTADJUDICATION petitions in	
9	domestic relations cases	46.00
10	Post-judgment POSTJUDGMENT activities in probate cases	46.00
11	E Minimum clerk fee	
12	Filing power of attorney	\$ 18.00
13	Change of venue to another county transmittal	
14	fee	18.00
15	Change of venue to another county on section	
16	12-404, transmittal fee	18.00
17	Filing transcript and docketing judgment from	
18	any courts	18.00
19	Issuance of writs of: attachment, execution,	
20	possession, restitution, prohibition and	
21	enforcement of order of judgment-garnishment	18.00
22	Certified copy or abstract of marriage	
23	application or license	18.00
24	Filing oath and bond of notary public	18.00
25	Certificate of correctness of copy of record	18.00
26	Justice of peace certificate	18.00
27	Notary public certificate	18.00
28	Each certificate of clerk to any matter in	
29	clerk's record not specifically provided	18.00
30	Filing any paper or performing any act for which	
31	a fee is not specifically prescribed	18.00
32	Subpoena - (civil)	18.00
33	Research in locating a document (per year or	
34	source researched)	18.00
35	Exemplification (per certification)	18.00
36	Authentication (per certification)	18.00
37	Seal a court file	18.00
38	Reopen a sealed court file	18.00
39	Retrieve bank records	18.00
40	Reel of film alpha index per year (plus per page	
41	fee below)	18.00
42	Payment history report	18.00
43	Certification under one document certification	18.00
44	Civil traffic appeal	18.00

1	F	Per page fee	
2		Making copies (on appeal and on request)	
3		per page	\$ .50
4		Making extra copies per page	.50
5		Making photographic or photostatic copies	
6		per page	.50
7		Comparison fee of papers furnished by applicant	
8		per page	.50
9		Alpha index per page	.50
10	G	Special fees	
11		<del>Filing adoption case</del>	<del>\$ 30.00</del>
12		<del>Contested adoption</del>	<del>15.00</del>
13		Small claim tax case	\$ 15.00
14		Marriage license and return hereof	50.00
15		Postage and handling	5.00
16		Notary services	5.00
17		Stop payment on check	10.00

18 B. The clerk of the superior court shall receive the fees prescribed  
19 in subsection A of this section for the following services:

20 1. Making copies of papers and records required to be made by the  
21 clerk on appeal, and copies of papers and records in the clerk's office made  
22 on request in other cases, for each legal size page of original.

23 2. Making extra copies of the papers and records mentioned in  
24 paragraph 1 of this subsection, required or requested for each page of copy  
25 of such papers and records.

26 3. In a clerk's office, in which a photographic or photostatic method  
27 of recording is used or is available for use in cooperation with other public  
28 offices, preparing copies enumerated in paragraphs 1 and 2 of this subsection  
29 for each page of copy or fraction of a page of copy. Portions of several  
30 pages of records may be combined in one page of copy. The clerk may prepare  
31 an abstract of marriage in lieu of a reproduction of the recorded marriage  
32 license. The fee shall apply to matters whether recorded in such office by  
33 longhand, typing, electronic, photographic or photostatic methods. The fees  
34 for copies are exclusive of the fees for certification or authentication.

35 4. Issuing a certificate as to official capacity of a notary public  
36 or justice of the peace and affixing a seal thereto.

37 5. Each subpoena issued in a civil proceeding or filing any paper or  
38 performing any act for which a fee is not specifically prescribed by law, but  
39 the clerk shall not charge for the clerk's services in administering the oath  
40 in connection with any affidavit, petition, letters or other pleading or  
41 document which, after administration of the oath therefor, is promptly filed  
42 by the clerk and becomes a part of a case or matter of record in the office  
43 of the clerk.

44 C. In addition to the fees required by subsection A of this section,  
45 the clerk shall charge and collect a surcharge of fifteen dollars for each

1 filing of a ~~post-adjudication~~ POSTADJUDICATION petition in a domestic  
2 relations case for which a fee presently is charged under class D in  
3 subsection A of this section. The surcharge shall be used exclusively to  
4 fund domestic relations education and mediation programs established pursuant  
5 to section 25-413. Each month the clerk shall transmit the monies the clerk  
6 collects pursuant to this subsection to the county treasurer for deposit in  
7 the domestic relations education and mediation fund established by section  
8 25-413.

9 D. Excluding the monies that are collected pursuant to subsection C  
10 of this section, each month the clerk shall transmit seventy-five per cent  
11 of the monies collected for subsequent case filing fees for postadjudication  
12 petitions in domestic relations cases under class D in subsection A of this  
13 section to the county treasurer for deposit in the expedited child support  
14 and parenting time fund established pursuant to section 25-412. The  
15 remaining twenty-five per cent of the monies collected pursuant to this  
16 subsection shall be distributed pursuant to section 12-284.03.

17 E. At the commencement of each action for annulment, for dissolution  
18 of marriage or for legal separation, the petitioner shall pay to the clerk  
19 of the court the initial case filing fee for the action provided in  
20 subsection A of this section. At the time of filing a response, the  
21 respondent shall pay to the clerk of the court the subsequent case filing fee  
22 for the action provided in subsection A of this section. In each county  
23 where the superior court has established a conciliation court, the petitioner  
24 and respondent shall each pay to the clerk a sixty-five dollar fee. The  
25 monies from the additional fee shall be used to carry out the purposes of the  
26 conciliation court pursuant to title 25, chapter 3, article 7.

27 F. In garnishment matters:

28 1. A fee shall not be charged for filing an affidavit seeking only the  
29 release of exempt wages.

30 2. A fee shall not be charged for filing a garnishee's answer, for  
31 filing a judgment against the garnishee or for the issuance or return of  
32 process incident to such a judgment.

33 3. For any contest relating to or any controversion of a garnishment  
34 matter, unless the contesting party has paid an appearance fee in that cause,  
35 the required appearance fee shall be paid, except that the garnishee shall  
36 not pay a clerk's fee.

37 G. A person who is cited to appear and defend an order to show cause  
38 shall not be charged an appearance fee. The person may stipulate to or  
39 consent to the entry of an order without the payment of an appearance  
40 fee. An appearance fee shall be paid if the person is present in person or  
41 by an attorney and does one or more of the following:

42 1. Requests affirmative relief or counterrelief.

43 2. Attacks the sufficiency of process or the proceedings.

44 3. Takes other affirmative action.

1 H. A petitioner shall not be charged a fee for requesting an order of  
2 protection pursuant to section 13-3602 or an injunction against harassment  
3 pursuant to section 12-1809. A defendant shall not be charged an answer fee  
4 in an order of protection action if the defendant requests a hearing pursuant  
5 to section 13-3602, subsection I or in an injunction against harassment  
6 action if the defendant requests a hearing pursuant to section 12-1809,  
7 subsection H.

8 I. A person who files a registrar's order pursuant to section  
9 32-1166.06 shall not be charged a fee.

10 J. Except for monies that are collected pursuant to subsections C, D  
11 and E of this section, the clerk of the superior court shall transmit monthly  
12 to the county treasurer all monies collected pursuant to this section for  
13 distribution or deposit pursuant to section 12-284.03.

14 Sec. 7. Section 12-407, Arizona Revised Statutes, is amended to read:

15 12-407. Order for change of venue; transmittal of papers;  
16 payment of fees and costs; effect of failure to pay

17 A. When IF a change of venue is ordered, the court shall transfer the  
18 action to the most convenient adjoining county, unless the parties agree to  
19 some other county in which case the COURT SHALL TRANSFER THE action shall be  
20 transferred to the county agreed upon COUNTY.

21 B. The clerk shall forthwith PROMPTLY transmit the papers and  
22 transcript of the proceedings in the action to the clerk of the court to  
23 which the venue is changed. Except for changes of venue under section 12-404  
24 which are governed by AS PROVIDED IN subsection E of this section, the party  
25 applying for the change of venue shall pay a transmittal fee established  
26 pursuant to section 12-284. The payment shall be made within twenty days  
27 after the order directing the change, or. IF PAYMENT IS NOT TIMELY MADE, the  
28 application for change of venue and the order therefor FOR CHANGE OF VENUE  
29 shall be deemed abandoned. If the change is abandoned, the action shall  
30 proceed as if the order for change of venue had not been made.

31 C. ~~The clerk of the court to which the action is transferred shall,~~  
32 ~~upon~~ ON payment by the party applying for a change of venue of the fee  
33 required ~~upon~~ ON THE filing OF a complaint, THE CLERK OF THE COURT TO WHICH  
34 THE ACTION IS TRANSFERRED SHALL docket the action in its order. The action  
35 shall be tried or otherwise disposed of as if it had originated in that  
36 court.

37 D. Except for changes of venue under section 12-404 which are governed  
38 by AS PROVIDED IN subsection E of this section, failure to pay the fee as  
39 required in subsection C of this section within thirty days from the date of  
40 the order for the change of venue THE NEW COURT RECEIVES THE FILE shall be  
41 deemed an abandonment. The clerk of the court to which the action was  
42 transferred shall forthwith PROMPTLY transmit all papers to the court in  
43 which the action originated, and the action shall be disposed of as if no  
44 change of venue had been granted.

1 E. ~~in a case in which~~ IF a change of venue ~~has been~~ IS ordered  
2 pursuant to section 12-404, the plaintiff shall pay the transmittal fee  
3 established pursuant to section 12-284 within twenty days after the order  
4 directing the change. ~~Also in such case the plaintiff shall pay~~ AND, within  
5 thirty days from the date of ~~the order for the change of venue~~ THE NEW COURT  
6 RECEIVES THE FILE, THE PLAINTIFF SHALL PAY to the clerk of the court to which  
7 the action is transferred the fee required upon ON THE filing of a complaint  
8 as provided in subsection C of this section. If the plaintiff fails to  
9 timely pay either the transmittal fee or the filing fee in the county to  
10 which the action is transferred, the court shall dismiss the case without  
11 prejudice.

12 Sec. 8. Section 13-901, Arizona Revised Statutes, is amended to read:

13 13-901. Probation

14 A. If a person who has been convicted of an offense is eligible for  
15 probation, the court may suspend the imposition or execution of sentence and,  
16 if so, shall without delay place such person on intensive probation  
17 supervision pursuant to section 13-913 or supervised or unsupervised  
18 probation upon such terms and conditions as the law requires and the court  
19 deems appropriate, including participation in any programs authorized in  
20 title 12, chapter 2, article 11. If a person is not eligible for probation,  
21 imposition or execution of sentence shall not be suspended or delayed. If  
22 the court imposes probation, it may also impose a fine as authorized by  
23 chapter 8 of this title. If probation is granted the court shall impose a  
24 condition that the person waive extradition for any probation revocation  
25 procedures and it shall order restitution pursuant to section 13-603,  
26 subsection C where there is a victim who has suffered economic loss. When  
27 granting probation to an adult the court shall, as a condition of probation,  
28 assess a monthly fee of not less than forty FIFTY dollars unless, after  
29 determining the inability of the probationer to pay the fee, the court  
30 assesses a lesser fee. In justice and municipal courts the fee shall only  
31 be assessed when the person is placed on supervised probation. For persons  
32 placed on probation in the superior court, the fee shall be paid to the clerk  
33 of the superior court and the clerk of the court shall pay all monies  
34 collected from this fee to the county treasurer for deposit in the adult  
35 probation services fund established by section 12-267. For persons placed  
36 on supervised probation in the justice court, the fee shall be paid to the  
37 justice court and the justice court shall transmit all of the monies to the  
38 county treasurer for deposit in the adult probation services fund established  
39 by section 12-267. For persons placed on supervised probation in the  
40 municipal court, the fee shall be paid to the municipal court. The municipal  
41 court shall transmit all of the monies to the city treasurer who shall  
42 transmit the monies to the county treasurer for deposit in the adult  
43 probation services fund established by section 12-267. ANY AMOUNT GREATER  
44 THAN FORTY DOLLARS OF THE FEE ASSESSED PURSUANT TO THIS SUBSECTION SHALL ONLY  
45 BE USED TO SUPPLEMENT MONIES CURRENTLY USED FOR THE SALARIES OF ADULT

1 PROBATION AND SURVEILLANCE OFFICERS AND FOR SUPPORT OF PROGRAMS AND SERVICES  
2 OF THE SUPERIOR COURT ADULT PROBATION DEPARTMENTS.

3 B. The period of probation shall be determined according to section  
4 13-902.

5 C. The court may in its discretion issue a warrant for the rearrest  
6 of the defendant and may modify or add to the conditions or, if the defendant  
7 commits an additional offense or violates a condition, may revoke probation  
8 in accordance with the rules of criminal procedure at any time prior to the  
9 expiration or termination of the period of probation. If the court revokes  
10 the defendant's probation and the defendant is serving more than one  
11 probationary term concurrently, the court may sentence the person to terms  
12 of imprisonment to be served consecutively.

13 D. At any time during the probationary term of the person released on  
14 probation, any probation officer may, without warrant or other process, at  
15 any time until the final disposition of the case, rearrest any person and  
16 bring the person before the court.

17 E. The court, on its own initiative or upon application of the  
18 probationer, after notice and an opportunity to be heard for the prosecuting  
19 attorney, and on request, the victim, may terminate the period of probation  
20 or intensive probation and discharge the defendant at a time earlier than  
21 that originally imposed if in the court's opinion the ends of justice will  
22 be served and if the conduct of the defendant on probation warrants it.

23 F. When granting probation the court may require that the defendant  
24 be imprisoned in the county jail at whatever time or intervals, consecutive  
25 or nonconsecutive, the court shall determine, within the period of probation,  
26 as long as the period actually spent in confinement does not exceed one year  
27 or the maximum period of imprisonment permitted under chapter 7 of this  
28 title, whichever is the shorter.

29 G. If restitution is made a condition of probation, the court shall  
30 fix the amount of restitution and the manner of performance pursuant to the  
31 provisions of chapter 8 of this title.

32 H. When granting probation, the court shall set forth at the time of  
33 sentencing and on the record the factual and legal reasons in support of each  
34 sentence.

35 I. If the defendant meets the criteria set forth in section 13-901.01  
36 or 13-3422, the court may place the defendant on probation pursuant to either  
37 section. If a defendant is placed on probation pursuant to section 13-901.01  
38 or 13-3422, the court may impose any term of probation THAT IS authorized  
39 pursuant to this section which is not in violation of section 13-901.01.

40 Sec. 9. Section 13-914, Arizona Revised Statutes, is amended to read:

41 13-914. Intensive probation; evaluation; sentence; criteria;  
42 limit; conditions

43 A. An adult probation officer shall prepare a presentence report for  
44 every offender who has either:

1           1. Been convicted of a felony and for whom the granting of probation  
2 is not prohibited by law.

3           2. Violated probation by commission of a technical violation that was  
4 not chargeable or indictable as a criminal offense.

5           B. The adult probation officer shall evaluate the needs of the  
6 offender and the offender's risk to the community, including the nature of  
7 the offense and criminal history of the offender. If the nature of the  
8 offense and the prior criminal history of the offender indicate that the  
9 offender should be included in an intensive probation program pursuant to  
10 supreme court guidelines for intensive probation, the adult probation officer  
11 may recommend to the court that the offender be granted intensive probation.

12           C. The court may suspend the imposition or execution of the sentence  
13 and grant the offender a period of intensive probation in accordance with  
14 this chapter. Except for sentences that are imposed pursuant to section  
15 13-3601, the sentence is tentative to the extent that it may be altered or  
16 revoked pursuant to this chapter, but for all other purposes it is a final  
17 judgment of conviction. This subsection does not preclude the court from  
18 imposing a term of intensive probation pursuant to section 13-3601.

19           D. When granting intensive probation the court shall set forth on the  
20 record the factual and legal reasons in support of the sentence.

21           E. Intensive probation shall be conditioned on the offender:

22           1. Maintaining employment or maintaining full-time student status at  
23 a school subject to the provisions of title 15 or title 32, chapter 30 and  
24 making progress deemed satisfactory to the probation officer, or both, or  
25 being involved in supervised job searches and community service work at least  
26 six days a week throughout the offender's term of intensive probation.

27           2. Paying restitution and probation fees of not less than forty FIFTY  
28 dollars unless, after determining the inability of the offender to pay the  
29 fee, the court assesses a lesser fee. Probation fees shall be deposited in  
30 the adult probation services fund established by section 12-267. ANY AMOUNT  
31 GREATER THAN FORTY DOLLARS OF THE FEE ASSESSED PURSUANT TO THIS SUBSECTION  
32 SHALL ONLY BE USED TO SUPPLEMENT MONIES CURRENTLY USED FOR THE SALARIES OF  
33 ADULT PROBATION AND SURVEILLANCE OFFICERS AND FOR SUPPORT OF PROGRAMS AND  
34 SERVICES OF THE SUPERIOR COURT ADULT PROBATION DEPARTMENTS.

35           3. Establishing a residence at a place approved by the intensive  
36 probation team and not changing the offender's residence without the team's  
37 prior approval.

38           4. Remaining at the offender's place of residence at all times except  
39 to go to work, to attend school, to perform community service and as  
40 specifically allowed in each instance by the adult probation officer.

41           5. Allowing administration of drug and alcohol tests if requested by  
42 a member of the intensive probation team.

43           6. Performing not less than forty hours of community service each  
44 month. Full-time students may be exempted or required to perform fewer hours

1 of community service. For good cause, the court may reduce the number of  
2 community service hours performed to not less than twenty hours each month.

3 7. Meeting any other conditions imposed by the court to meet the needs  
4 of the offender and limit the risks to the community, including participation  
5 in a program of community punishment authorized in title 12, chapter 2,  
6 article 11.

7 Sec. 10. Section 22-124, Arizona Revised Statutes, is amended to read:  
8 22-124. Custody of records filed; purging; destruction

9 A. The justice of the peace shall keep in custody and shall take  
10 charge of and safely keep and dispose of according to court rules all books,  
11 papers and records which may be filed or deposited in custody.

12 B. The justice court may destroy all documents, records, instruments,  
13 books, papers, depositions, exhibits and transcripts in any action or  
14 proceeding in the justice court or otherwise filed or deposited in custody  
15 pursuant to rules established by the supreme court.

16 C. The justice of the peace or the justice's designee shall notify the  
17 director of the Arizona state library, archives and public records of records  
18 designated for destruction pursuant to court rules. The state library shall  
19 have the opportunity in a time prescribed by court rule to review and inspect  
20 these records. During this time period, the state library may remove any of  
21 these records for storage and retrieval.

22 D. SUBSECTION C DOES NOT APPLY IF THE DIRECTOR OF THE ARIZONA STATE  
23 LIBRARY, ARCHIVES AND PUBLIC RECORDS HAS PREVIOUSLY APPROVED THE DESTRUCTION  
24 OF RECORDS.

25 Sec. 11. Section 22-281, Arizona Revised Statutes, is amended to read:  
26 22-281. Fees and deposits

27 A. Justices of the peace shall receive fees established and classified  
28 as follows in civil actions:

29 Class	Description	Fee
30 A	Initial case filing fee	
31	Civil filing fees	\$ 45.00
32 B	Subsequent case filing fee	
33	Civil filing fees - defendant	\$ 24.00
34 C	Initial case filing fee	
35	Forcible entry and detainer filings	\$ 21.00
36	Small claims filing	16.00
37 D	Subsequent case filing fee	
38	Small claims answer	\$ 9.00
39	Forcible entry and detainer filings - defendant	11.00
40 E	Minimum clerk fee	
41	Document and transcript transfer on appeal	\$ 17.00
42	Certification of any documents	17.00
43	Issuance of writs	17.00
44	Filing any paper or performing any act for	
45	which a fee is not specifically prescribed	17.00



1		<del>Filing power of attorney</del>	17.00
2		<del>Certificate of correctness of copy of record</del>	17.00
3		<del>Each certificate of clerk to any matter</del>	17.00
4		<del>Subpoena (civil)</del>	17.00
5		<del>Research in locating a document</del>	17.00
6		<del>Exemplification</del>	17.00
7		<del>Seal a court file</del>	17.00
8		<del>Reopen a sealed court file</del>	17.00
9		<del>Retrieve bank records</del>	17.00
10		<del>Payment history report</del>	17.00
11		<del>Audiotape copy RECORD DUPLICATION</del>	17.00
12	F	Per page fee	
13		Copies of any documents per page	\$ 0.50
14	G	Special fees	
15		<del>Notary services</del>	<del>\$ 4.00</del>
16		Small claims service by mail	\$ 3.00

17 B. This section does not deprive the parties to the action of the  
 18 privilege of depositing amounts with the justice, in addition to those set  
 19 forth in this section, for use in connection with THE payment of constable's  
 20 and sheriff's fees for service of process, levying of writs, and other  
 21 services for which fees are otherwise provided by law.

22 C. Excluding the monies that are kept by the court pursuant to  
 23 subsection D of this section, justices of the peace shall transmit monthly  
 24 to the county treasurer all monies collected pursuant to subsection A of this  
 25 section. The county treasurer shall distribute or deposit all of the monies  
 26 received pursuant to this subsection as follows:

27 1. 18.39 per cent to the state treasurer for deposit in the judicial  
 28 collection enhancement fund established by section 12-113.

29 2. 2.42 per cent to the state treasurer for deposit in the alternative  
 30 dispute resolution fund established by section 12-135.

31 3. 71.15 per cent to the county general fund.

32 D. 8.04 per cent of the monies transmitted pursuant to subsection C  
 33 of this section shall be kept and used by the court collecting the fees in  
 34 the same manner as the seven dollars of the time payment fee prescribed by  
 35 section 12-116, subsection B.

36 Sec. 12. Section 22-404, Arizona Revised Statutes, is amended to read:

37 22-404. Disposition of fines and forfeitures

38 A. All fines and forfeitures THAT ARE collected in a municipal court  
 39 maintained by a city or town which THAT pays the salaries of the municipal  
 40 court officers shall be paid to the treasurer of the city or town in which  
 41 the court is located.

42 B. Except as otherwise provided by law, fees for the municipal court  
 43 shall be established and classified as follows:

1	Class	Description	Fee
2	E	Minimum clerk fee	\$ 17.00
3		Research in locating a document	17.00
4		<del>Each certificate of clerk to any matter</del>	<del>17.00</del>
5		Audio and video Record duplication	17.00
6		<del>Payment history report</del>	<del>17.00</del>
7	F	Per page fee	
8		Copies of any documents per page	\$ 0.50
9	G	<del>Special fees</del>	
10		<del>Notary services</del>	<del>\$ 4.00</del>

11 C. Excluding the monies that are kept by the court pursuant to  
12 subsection D of this section, the municipal court shall monthly transmit all  
13 monies that are collected pursuant to subsection B of this section to the  
14 city or town treasurer. The city or town treasurer shall distribute or  
15 deposit all of the monies received pursuant to this subsection as follows:

16 1. 19.18 per cent to the state treasurer for deposit in the judicial  
17 collection enhancement fund established by section 12-113.

18 2. 72.51 per cent to the city or town general fund.

19 D. 8.31 per cent of the monies transmitted pursuant to subsection C  
20 of this section shall be kept and used by the court collecting the fees in  
21 the same manner as the seven dollars of the time payment fee prescribed by  
22 section 12-116, subsection B.

23 E. A city or town may establish and assess fees for court programs and  
24 services.

25 Sec. 13. Section 22-428, Arizona Revised Statutes, is amended to read:

26 22-428. Custody of records filed; purging; destruction

27 A. The magistrate shall keep in custody and shall take charge of and  
28 safely keep and dispose of according to court rules all books, papers and  
29 records which may be filed or deposited in custody.

30 B. The municipal court may destroy all documents, records,  
31 instruments, books, papers, depositions, exhibits and transcripts in any  
32 action or proceeding in the municipal court or otherwise filed or deposited  
33 in custody pursuant to rules established by the supreme court.

34 C. The magistrate or the magistrate's designee shall notify the  
35 director of the Arizona state library, archives and public records of records  
36 designated for destruction pursuant to court rules. The state library shall  
37 have the opportunity in a time prescribed by court rule to review and inspect  
38 these records. During this time period, the state library may remove any of  
39 these records for storage and retrieval.

40 D. SUBSECTION C DOES NOT APPLY IF THE DIRECTOR OF THE ARIZONA STATE  
41 LIBRARY, ARCHIVES AND PUBLIC RECORDS HAS PREVIOUSLY APPROVED THE DESTRUCTION  
42 OF RECORDS.

1       Sec. 14. Section 31-466, Arizona Revised Statutes, is amended to read:  
2       31-466. Supervision fee; deposit

3       A. A person being supervised in this state pursuant to this article  
4 shall pay, as a condition of probation or parole, a monthly supervision fee  
5 of not less than thirty FIFTY dollars unless, after determining the inability  
6 of the person to pay the fee, the supervising agency requires payment of a  
7 lesser amount. The supervising parole or probation officer shall monitor the  
8 collection of the fee.

9       B. Monies collected pursuant to subsection A of this section shall be  
10 deposited, pursuant to sections 35-146 and 35-147, in the victim compensation  
11 and assistance fund established by section 41-2407.

12       Sec. 15. Joint study committee on state funding of the court  
13       system

14       A. The joint study committee on state funding of the court system is  
15 established consisting of the following members:

16       1. Three members from the house of representatives who are appointed  
17 by the speaker of the house of representatives, not more than two of whom are  
18 members of the same political party. The speaker shall appoint one of the  
19 members to serve as cochairperson.

20       2. Three members from the senate who are appointed by the president  
21 of the senate, not more than two of whom are members of the same political  
22 party. The president shall appoint one of the members to serve as  
23 cochairperson.

24       3. The chief justice of the supreme court or designee.

25       4. The administrative director of the administrative office of the  
26 courts or designee.

27       5. One member who is a presiding judge and who is appointed by the  
28 chief justice of the supreme court.

29       6. One justice of the peace who represents a county with a population  
30 of less than five hundred thousand persons and who is appointed by the  
31 president of the senate.

32       7. One justice of the peace who represents a county with more than  
33 five hundred thousand persons and who is appointed by the speaker of the  
34 house of representatives.

35       8. One member who represents the governor's office and who is  
36 appointed by the governor.

37       9. One member who represents a county with a population of less than  
38 five hundred thousand persons and who is appointed by the county supervisors  
39 association.

40       10. One member who represents a county with a population of more than  
41 five hundred thousand persons and who is appointed by the county supervisors  
42 association.

43       11. One member who is a clerk of the court and who is appointed by the  
44 Arizona association of counties.

12. One member who represents a municipality and who is appointed by the Arizona league of cities and towns.

13. One member who is a public defender and who is appointed by the Arizona public defenders association.

14. One public member who is appointed jointly by the president of the senate and the speaker of the house of representatives.

15. One county attorney who is appointed by the Arizona prosecuting attorneys advisory council.

B. The committee shall:

1. Review state funding of the Arizona court system.

2. Examine state funded systems and recommend those components of the judicial system that should be funded by the state.

3. Recommend a plan for the state funding of the judicial system, including the time period for implementation, the source of revenues for the increased state responsibilities and the fee structure including costs and surcharges.

C. The staff of the county supervisors association and the administrative office of the courts shall provide technical assistance to the committee.

D. The committee shall submit a report of its findings and recommendations to the governor, the president of the senate, the speaker of the house of representatives, the chief justice of the supreme court, the association of county supervisors and the Arizona league of cities and towns on or before June 30, 2003 and shall provide a copy of this report to the secretary of state and the director of the Arizona state library, archives and public records.

Sec. 16. Laws 1999, chapter 175, section 9, as amended by Laws 2001, chapter 8, section 1, is amended to read:

Sec. 9. Effective date

~~A. Section 12-116, Arizona Revised Statutes, as amended by Laws 1997, chapter 79, section 7, and this act, is effective from and after December 31, 2003.~~

~~B. Section 11-584, Arizona Revised Statutes, as amended by this act, is effective from and after September 30, 1999.~~

Sec. 17. Laws 2000, chapter 193, section 598, as amended by Laws 2001, chapter 8, section 2, is amended to read:

Sec. 598. Effective date

A. Section 12-116, Arizona Revised Statutes, as amended by Laws 1999, chapter 175, section 6 and this act LAWS 2000, CHAPTER 193, SECTION 94 is effective from and after December 31, 2003 2009.

B. Section 42-1201, Arizona Revised Statutes, as amended by Laws 1999, chapter 250, section 7 and this act is effective from and after December 31, 2000.

1 C. Section 49-203, Arizona Revised Statutes, as amended by Laws 1999,  
2 chapter 26, section 5 and this act is effective from and after December 31,  
3 2000.

4 D. Section 49-361, Arizona Revised Statutes, as amended by Laws 1999,  
5 chapter 26, section 17 and this act is effective from and after December 31,  
6 2000.

7 Sec. 18. Laws 2000, chapter 193, section 599, as amended by Laws 2001,  
8 chapter 8, section 3, is amended to read:

9 Sec. 599. Delayed repeal

10 A. Section 12-116, Arizona Revised Statutes, as amended by Laws 1997,  
11 chapter 79, section 7 and this act LAWS 2000, CHAPTER 193, SECTION 93 is  
12 repealed from and after December 31, 2003 2009.

13 B. Section 42-1201, Arizona Revised Statutes, as amended by Laws 1998,  
14 chapter 1, section 144 and this act is repealed from and after December 31,  
15 2000.

16 C. Section 49-203, Arizona Revised Statutes, as amended by Laws 1996,  
17 chapter 194, section 5, chapter 351, section 39 and this act is repealed from  
18 and after December 31, 2000.

19 Sec. 19. Delayed repeal

20 Section 15 of this act, relating to the joint study committee on state  
21 funding of the court system, is repealed from and after December 31, 2003.

APPROVED BY THE GOVERNOR MAY 22, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 23, 2002.



Passed the House April 4, 20 02,

by the following vote: 38 Ayes,

16 Nays, 6 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate May 6, 20 02,

by the following vote: 22 Ayes,

5 Nays, 3 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

           day of           , 20           ,

at            o'clock            M.

            
Secretary to the Governor

Approved this            day of

          , 20           ,

at            o'clock            M.

            
Governor of Arizona

H.B. 2289

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this            day of           , 20           ,

at            o'clock            M.

            
Secretary of State

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

May 16, 2002,

by the following vote: 40 Ayes,

17 Nays, 3 Not Voting

[Signature]  
Speaker of the House

Norman L. Fene  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of May, 2002

at 3:00 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 22nd day of

May, 2002,

at 4:45 o'clock P M.

[Signature]  
Governor of Arizona

H.B. 2289

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of May, 2002

at 3:23 o'clock P M.

[Signature]  
Secretary of State